

REMARKS

The present amendment is submitted in response to the Office Action dated January 11, 2007, which set a three-month period for response, making this amendment due by April 11, 2007.

Claims 1-5 are pending in this application.

In the Office Action, the listing of references on page 1 of the specification was objected to as not being a proper information disclosure statement. The drawings were objected to as failing to comply with 37 CFR 1.84(p)(4) on grounds reference numerals 2, 13, and 18 were used to designate "chamber" in Fig. 6. The specification was objected to for various informalities. Claims 1-5 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-2 and 4 were rejected under 35 U.S.C. 102(b) as being anticipated by Pub. No. EP 582 555 A1 to Allessandri. Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Patent No. DE 678,971 to Drehkoben-Kraftmaschinen, or Patent No. 819,935 to Schobert, or U.S. Patent No. 4,241,713 to Crutchfield, or U.S. Patent No. 4,711,268 to Holdampf. Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Alessandri in view of U.S. Patent No. 3,951,112 to Hunter.

In this amendment, the specification was amended to address the objections and to add a cross reference to the related priority document.

Fig. 6 was amended to delete reference numerals 2 and 18. Reference numeral 18 was changed to "13" on page 5 of the specification to correctly designate the chambers.

Claims 1 and 5 were amended to address the rejections under Section 112, second paragraph.

Looking next at the substantive rejection of the claims, the Applicant respectfully disagrees that the cited references anticipate or render obvious the present invention.

The present invention as defined in claims 1-15 includes a number of features that are not shown or suggested by any of the cited references.

Attached hereto to illustrate the differences between the present invention and the prior art are Appendices 1-4. Specifically, in the present invention, the rotor is cylindrical-shaped and has 8 radial housings at 45° where its corresponding blades are located. This system allows creating a total of 8 working chambers every 360° of rotation.

In addition, the rotor design with 8 working chambers allows reaching a 23 to 1 compression ratio, which is far greater than what can be obtained with the devices disclosed in the cited references, which have only 4 working chambers every 360° of rotation.

The flame ignition system is simple and innovative, replacing the complex systems used today. Only an initial spark is needed to light the first chamber which is in the maximum compression position (TDC) and once this chamber explodes, a small flame from this chamber moves to the preceding

chamber through slots existing in the side covers of the stator (see Appendix 1: original drawing of the concept of the engine). The explosion occurs with this flame in the preceding chamber, which at that time is in the maximum compression position (TDC), and so on for all the chambers.

The present invention allows operation by the injection of any type of fuel, whether it is gasoline, fuel oil, natural gas, alcohol, etc., as a result of this simple ignition system.

With this ignition system, a fuel pressure pump (Common Rail type) and a free output injector, a constant dynamic thrust turbo engine is obtained, the regulation of which is achieved by means of changing the pressure in the pump.

A centrifugal force containment system for the blades at high revolutions is incorporated by means of springs adapted inside the blades or on both sides of such blades (see Appendices 2 and 3), reducing the friction of the edge of the blades with the inner face of the stator.

In addition, the present invention has an easy construction by means of independent modules assembled in parallel on a single common shaft. The rotors have one-way bearings in their central part that allow each of the rotors to work independently according to the power demand (see Appendix 4).

The Applicant respectfully submits that none of the references cited in support of the rejections under Section 102 discloses all of the features of the present invention as defined in independent claim 1. Therefore, claim 1 and its

dependent claims are not anticipated by these references. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann*

Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984).

In addition, claims 1-5 cannot be viewed as obvious over the cited references, whether viewed alone or in combination. When establishing obviousness under Section 103, it is not pertinent whether the prior art device possess the functional characteristics of the claimed invention, if the reference does not describe or suggest its structure. *In re Mills*, 16 USPQ 2d 1430, 1432-33 (Fed. Cir. 1990).

For the reasons set forth above, the Applicant respectfully submits that claims 1-5 are patentable over the cited art. The Applicant further requests withdrawal of the rejections and reconsideration of the claims as herein amended.

INFORMATION DISCLOSURE STATEMENT

The Examiner has indicated that unless the references have been cited by the Examiner on a Form PTO-892, they have not been considered. On the other hand, the Examiner has attached to the Office Action a Form PTO-1449 in which the Examiner has initialed and signed acknowledgment of the references cited by the Applicant in the Information Disclosure Statement.

Accordingly, it is understood that these references have been considered by the Examiner.

While the Background of the Invention, lines 9-10, is not in itself a proper Information Disclosure Statement, nevertheless applicant did independently file an Information Disclosure Statement which was properly supported.

Accordingly, applicant will assume that the art cited in the Form PTO-1449 attached to the Office Action of January 11, 2007 has been considered by the Examiner.

In light of the foregoing amendments and arguments in support of patentability, the Applicant respectfully submits that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

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